

## Article - Public Utilities

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§7–501.

- (a) In this subtitle the following words have the meanings indicated.
- (b) “Affiliate” means a person that directly or indirectly, or through one or more intermediaries, controls, is controlled by, or is under common control with, or has, directly or indirectly, any economic interest in another person.
- (c) (1) “Assignee” means a person to whom an electric company assigns or transfers all or a portion of its interest in intangible transition property, other than as security.  
(2) “Assignee” includes a person to whom all or a portion of the interest is subsequently assigned or transferred.
- (d) “Competitive transition charge” means a rate, charge, credit, or other appropriate mechanism authorized to be imposed for the recovery of transition costs as determined by the Commission under § 7–513 of this subtitle.
- (e) “Consumer” and “customer” each means a retail electric customer.
- (f) “Customer choice” means the right of electricity suppliers and customers to utilize and interconnect with the electric distribution system on a nondiscriminatory basis at rates, terms, and conditions of service comparable to the electric company’s own use of the system to distribute electricity from an electricity supplier to a customer, under which a customer has the opportunity to purchase electricity from the customer’s choice of licensed electricity suppliers.
- (g) “Distribution territory” means the geographic area in which an electric company was providing electric transmission or distribution services to customers on July 1, 1999.
- (h) “Independent system operator” means an entity authorized by the Federal Energy Regulatory Commission to control a regional transmission grid.
- (i) “Initial implementation date” means:
  - (1) July 1, 2000, for investor–owned electric companies;

(2) the date or dates determined by the Commission for Electric Cooperatives and Municipal Electric Utilities; or

(3) another date or dates determined by the Commission under § 7–510(b) of this subtitle.

(j) “Intangible transition charge” means a nonbypassable rate, charge, or similar appropriate mechanism for the provision, availability, or termination of electric service, authorized to be imposed for the recovery of qualified transition costs under a qualified rate order of the Commission.

(k) “Intangible transition property” means the right, title, and interest of an electric company or assignee in a qualified rate order, including:

(1) all rights in, to, and under the order, including rights to revenues, collections, claims, payments, money, or other property and amounts arising from the imposition of intangible transition charges under the order; and

(2) in the hands of an assignee:

(i) the right to require the electric company to provide electric services, and to collect and remit the intangible transition charges authorized in the qualified rate order; but

(ii) not the right or duty to provide electric services.

(l) (1) “Public purpose program” means a program implemented with the intention of furthering a public purpose.

(2) “Public purpose program” includes:

(i) a universal service program;

(ii) a program encouraging renewable energy resources;

(iii) a demand side management or other energy efficiency or conservation program; and

(iv) a consumer education program.

(m) “Qualified rate order” means an order of the Commission approving one or more intangible transition charges.

(n) “Standard offer service” means electric service that an electric company must offer to its customers under § 7–510(c) of this subtitle.

(o) “Transition bond” means a bond, debenture, note, certificate of participation or beneficial interest, or other evidence of indebtedness or ownership, approved in a qualified rate order and issued under an executed trust indenture or other agreement of an electric company or assignee, and which is secured by, evidences ownership interest in, or is payable from intangible transition property.

(p) “Transition cost” means a cost, liability, or investment that:

(1) traditionally would have been or would be recoverable under rate-of-return regulation, but which may not be recoverable in a restructured electricity supply market; or

(2) arises as a result of electric industry restructuring and is related to the creation of customer choice.

(q) (1) “Universal service program” means a program that helps low-income customers maintain electric service.

(2) “Universal service program” includes customer bill assistance and payment programs, termination of service protection, and policies and services that help low-income customers to reduce or manage energy consumption in a cost-effective manner.

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